

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

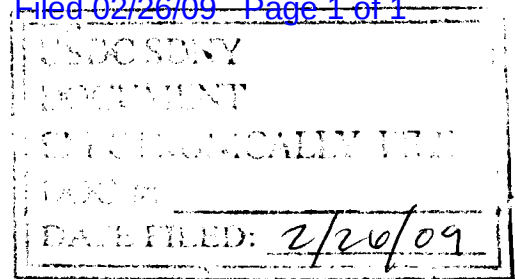
-----X
PATRICK FRATELLONE,

Plaintiff,

v.

MICHAEL O. LEAVITT,

Defendant.
-----X



**PROPOSED REVISED
SCHEDULIG ORDER**

Case No.: 08 Civ. 3100 (RMB)

The parties to this action, by their attorneys, having requested an extension of the briefing schedule for the Defendants' motion to dismiss and Plaintiff's cross-motion,

IT IS HERBY ORDERED that:

1. Plaintiff's opposition and cross-motion is due on or before March 12, 2009;
2. Defendant's reply is due on or before April 2, 2009; and
3. Plaintiff's sur reply is due on or before April 16, 2009.

IT IS SO ORDERED.

Dated: New York, New York
February 26, 2009

A handwritten signature in black ink that reads 'Richard M. Berman'.

RICHARD M. BERMAN
UNITED STATES DISTRICT JUDGE